

12/11/2018 11:10 am

U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE
For Online Publication Only

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GUILLERMO TORRES,

Petitioner,

-against-

ERROL D. TOULON, JR.,

Respondent.
-----X

ORDER
18-CV-04681(JMA)

AZRACK, United States District Judge:

On August 16, 2018, incarcerated *pro se* Guillermo Torres (“Petitioner”) filed a petition for a writ of habeas corpus against Errol D. Toulon pursuant to 28 U.S.C. § 2241. (ECF No. 1.) By Order dated October 23, 2018 (ECF No. 4, the “Order”), the Court dismissed the petition without prejudice and with leave to file an amended petition within 30 days from the date of the Order: (1) outlining the grounds in support of his petition; and (2) identifying his exhaustion of state court or administrative remedies, if any. (See Order, at 2.)

Petitioner was cautioned that a failure to timely comply with the Order would lead to the entry of judgment and the closure of this case. (Id.) A copy of the Order was mailed to plaintiff at his address listed on the docket sheet. To date, plaintiff has not filed an amended petition, nor has he otherwise communicated with the Court about this case. Accordingly, judgment in this case shall now enter.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of any appeal. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is directed to mail a copy of this Order to the *pro se* plaintiff at his last known address and to mark this case closed.

SO ORDERED.

Dated: December 11, 2018
Central Islip, New York

/s/ (JMA)
Joan M. Azrack
United States District Judge